

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN ISAAC HARRIS,

Plaintiff,

Case No. 20-cv-10922
Hon. Matthew F. Leitman

v.

DETROIT PUBLIC SCHOOLS
COMMUNITY DISTRICT, *et al.*,

Defendants.

**ORDER (1) ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF No. 34) AND (2) DENYING
PLAINTIFF’S MOTION FOR A DEFAULT AND DEFAULT
JUDGMENT (ECF No. 29)**

On April 13, 2020, Plaintiff John Isaac Harris filed this action against Defendant Detroit Public Schools Community District (the “DPS”) and others. (*See* Compl., ECF No. 1.) In summary, Harris claims that he was harassed, retaliated against, and fired from a job he held with the DPS. (*See id.*)

On January 19, 2021, Harris filed a motion for a default and default judgment with respect to DPS. (*See* Mot., ECF No. 29.) Harris argued that DPS had failed to timely file its Answer to his Complaint. (*See id.*)

The motion was referred to the assigned Magistrate Judge, and on March 1, 2021, the Magistrate Judge issued a Report and Recommendation in which she recommended that the Court deny the motion (the “R&R”). (*See* R&R, ECF No. 34.)

The Magistrate Judge concluded that there was “no basis” to enter a default or default judgment against DPS. (*Id.*, PageID.757.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of her recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.758-759.)

Harris has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed’n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Harris has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge’s recommended disposition of Harris’ motion for a default and default judgment is **ADOPTED**.

IT IS FURTHER ORDERED that Harris’ motion for a default and default judgment (ECF No. 29) is **DENIED**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 13, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 13, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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